

LEWIS
ANDROCA
LLP

L A W Y E R S

E-Filed on 12/19/07

3993 Howard Hughes Parkway, Suite 600
Las Vegas, NV 89169-5996
Facsimile (702) 949-8321
Telephone (702) 949-8320

40 North Central Avenue, Suite 1900
Phoenix, Arizona 85004-4429
Facsimile (602) 734-3824
Telephone (602) 262-5756

Susan M. Freeman AZ State Bar No. 004199
Email: sfreeman@lrlaw.com
Rob Charles NV State Bar No. 006593
Email: rcharles@lrlaw.com

Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE
COMPANY,

USA CAPITAL REALTY ADVISORS,
LLC,

USA CAPITAL DIVERSIFIED TRUST
DEED FUND, LLC,

USA CAPITAL FIRST TRUST DEED
FUND, LLC,

USA SECURITIES, LLC,

Debtors.

Affects:

- ☐ All Debtors
☒ USA Commercial Mortgage Company
☐ USA Capital Realty Advisors, LLC
☐ USA Capital Diversified Trust Deed Fund, LLC
☐ USA Capital First Trust Deed Fund, LLC
☐ USA Securities, LLC

Case No. BK-S-06-10725-LBR
Case No. BK-S-06-10726-LBR
Case No. BK-S-06-10727-LBR
Case No. BK-S-06-10728-LBR
Case No. BK-S-06-10729-LBR

CHAPTER 11

Jointly Administered Under Case No.
BK-S-06-10725 LBR

**WITHDRAWAL OF OBJECTION
TO PROOF OF CLAIM FILED BY
BARTKOWSKI FAMILY TRUST
FOR LACK OF DOCUMENTATION**

Hearing Date: December 20, 2007
Time: 9:30 a.m.

PLEASE TAKE NOTICE that the USACM Liquidating Trust (“USACM Trust”) filed its Seventh Omnibus Objection to Proof of Claim for Lack of Documentation (“Objection”) on November, 19, 2007 [DE 5369], which included an objection to Proof of Claim No. 10725-01431 (the “Claim”) filed by Bartkowski Family Trust (“Bartkowski Trust”) in the amount of \$40,000.00.

LEWIS
AND
ROCA
LLP
LAWYERS

1 Bartkowski Trust informally responded to the USACM Trust's Objection and
2 provided documentation to support their Claim.

3 WHEREFORE, the USACM Trust withdraws its objection to the Claim. The
4 USACM Trust reserves the right of any party in interest, including the USACM Trust, to
5 further object to the Bartkowski Trust Claim.

6 DATED: December 19, 2007

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8 **LEWIS AND ROCA LLP**

By: /s/ RC (#6593)

9 Susan M. Freeman, AZ 4199 (*pro hac vice*)

10 Rob Charles, NV 6593

Counsel for USACM Liquidating Trust

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12 COPY of the foregoing mailed
December 19, 2007, to:

13 Bartkowski Family Trust
14 c/o Clark & Jean Bartkowski
15 P.O. Box 1180
Darby, Montana 59829

16 /s/ Christine E. Laurel
17 Christine E. Laurel
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